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PROFESSIONAL AND OCCUPATIONAL STANDARDS

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Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XLI. Horseracing Occupations

Chapter 1. Veterinarians

§101. Licensing Veterinarians

All veterinarians shall be licensed to practice under the laws of Louisiana. No owner or trainer shall employ a veterinarian not licensed by the commission. This rule shall apply to veterinarians treating horses stabled off the association grounds and registered to race at any track in the state of Louisiana under supervision of the commission. Any owner or trainer employing unlicensed veterinarians will be subject to a fine or suspension or both.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:427 (December 1976), amended LR 3:24 (January 1977), repromulgated LR 4:273 (August 1978).

§103. Restriction of Owner's or Trainer's License

A veterinarian, while practicing his profession with horses racing under the jurisdiction of the commission, will not be eligible for an owner's or trainer's license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:24 (January 1977), LR 4:274 (August 1978).

§105. Administration of Drugs; Hearing

All veterinarians administering drugs or other substances to horses regulated by the commission, shall be responsible to see that the drugs or other substances are administered in accordance with the provisions of the *Rules of Racing*. Should any specimen sample disclose the presence of any drug or substance prohibited by the *Rules of Racing*, the stewards or the commission may hold a hearing to determine whether the prohibited drug or substance was received by or administered to the horse in question by any veterinarian in violation of the *Rules of Racing*. If it is determined that a violation occurred, the stewards or commission will apply such sanctions, by fine and/or suspension of license, as is deemed appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 8:233 (May 1982).

Chapter 3. Trainer

§301. Name of Trainer

No trainer shall practice his profession except under his own name.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), LR 4:275 (August 1978).

§303. Attending Horse

A trainer or an assistant trainer shall attend his horse in the paddock and shall be present to supervise his saddling unless he has obtained the permission of a steward to send another licensed trainer as a substitute.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), amended LR 3:26 (January 1977), repromulgated LR 4:275 (August 1978).

§305. Condition of Horse

A trainer is responsible for the condition of each horse trained by him.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), LR 4:275 (August 1978).

§307. Employee Registration

Each trainer shall register with the racing secretary every person in his employ.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), LR 4:275 (August 1978).

§309. Horse Owned by Unqualified Person

A trainer shall not have in his charge or under his supervision any horse owned, in whole or in part, by a disqualified person.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing

Commission, LR 2:430 (December 1976), promulgated LR 3:26 (January 1977), LR 4:275 (August 1978).

§311. Written Permission to Move Horses

No trainer, owner or other person shall move, or permit to be moved, any horse or horses in his care from the grounds of an association without written permission of the association and the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), promulgated LR 3:26 (January 1977), LR 4:275 (August 1978).

§313. Horse in Racing Condition

A trainer shall not enter or start a horse which is not in serviceably sound racing condition, has been tracheatubed or has been nerved. However, horses which have had a posterior digital (heel nerve) neurectomy or cryosurgical intervention in the areas reserved for posterior digital neurectomies performed on one or more feet, may be permitted to race. All horses which have undergone either of the above procedures shall be so designated on the foal certificate and be certified by the practicing veterinarian. All horses which have undergone either of the above procedures prior to the adoption of this rule must also be certified, and it is the responsibility of the trainer to see that either of such procedures will be carried on the foal certificate. All nerved horses, high or low, and all horses having had a cryosurgical intervention, as aforesaid, must be published on the bulletin board in the racing secretary's office. Any horse which is high nerved shall not be permitted to enter in a race. Except as provided herein, a trainer shall not enter or start a horse which has been "nerve blocked" or treated with, or been given any drug internally, externally or by hypodermic injection, except as permitted by LAC 35:I.1501 et seq. Nor shall a trainer enter or start a horse which is not properly plated, is blind or whose vision is seriously impaired in both eyes, is on a steward's, veterinarian's, starter's or disqualified list or is permanently barred from racing in any jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), repromulgated LR 4:275 (August 1978), amended LR 5:325 (October 1979).

§315. Employment of Jockey

No trainer, owner or other person shall employ a jockey for the purpose of preventing him from riding in any race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), LR 4:275 (August 1978).

§317. Inspection of Horses' Fitness to Race

Trainers of horses entered in the first or second race shall inspect the condition of their horses 12 hours before post time of the first race. If any horse is found to be unfit to race, the trainer shall report that fact to the stewards one hour before post time of the first race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), repromulgated LR 3:26 (January 1977), LR 4:275 (August 1978).

§319. Absence from Stable

Any trainer that anticipates being absent from his stable that he trains must have prior approval from the stewards, naming the trainer or assistant trainer that will saddle his horses and be responsible for his stable, however, in no case will his absence be over a duration of five days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:275 (August 1978).

Chapter 5. Assistant Trainers and Other Employees

§501. Licensing of Assistant Trainer

Assistant trainer is considered a trainer for licensing purposes and an assistant trainer shall be required to take out an annual license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:169.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:24 (January 1977), LR 4:274 (August 1978).

§503. Badges of Discharged Employees

An owner and/or trainer is accountable and shall be responsible for picking up the badge of any discharged employee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), promulgated LR 3:24 (January 1977), LR 4:274 (August 1978).

§505. Licensing of Other Employees

Owners and/or trainers must report personnel changes to the stewards within 24 hours. Any owner or trainer harboring or employing an unlicensed person shall be fined not less than 25 dollars. No person under the age of 18 years shall be granted a license by this commission, except upon presentation of a birth certificate and permit from the Louisiana State Labor Board, then the minimum age for licensing shall be 16. The commission does not recognize probationary licenses or temporary licenses, except as may

be provided in LAC 35:XI.9901 et seq. No person shall be granted a trainer's license who is under 18 years of age.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:169.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 1:498 (November 1975), LR 2:428 (December 1976), LR 3:24 (January 1977), repromulgated LR 4:274 (August 1978).

§507. Procedures for License Application

All applications for licenses must be completely and correctly filled out, properly signed and, when required, notarized. All licensees and permittees of the commission must be fingerprinted and photographed. Anyone failing to be fingerprinted or photographed shall be suspended or fined or both.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:24 (January 1977), repromulgated LR 4:274 (August 1978), LR 10:76 (February 1984).

§509. Establishment of Financial Stability

Applicants for an owner's or trainer's license must submit satisfactory evidence of their financial stability and ability to care for and maintain the horses owned and/or trained by them. Failure to establish such financial responsibility shall be grounds for denial or revocation of license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:24 (January 1977), LR 4:274 (August 1978).

§511. Addresses and Telephone Numbers

An applicant must furnish his local and permanent addresses and telephone numbers when applying for a license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), promulgated LR 3:24 (January 1977), LR 4:274 (August 1978).

§513. Omission or Misrepresentation

Any omission or misrepresentation will be deemed sufficient cause for refusal or revocation of a license by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), amended LR 3:24 (January 1977), repromulgated LR 4:274 (August 1978).

§515. License Required for Activities

No person requiring a license from the commission shall carry on any activity whatsoever upon the premises of a licensed association unless and until he has been duly licensed. The commission will accept the Association of Racing Commissioners International, Inc., uniform owner's application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:169.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), promulgated LR 3:24 (January 1977), LR 4:274 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 16:764 (September 1990).

§517. Trainer's License

An applicant for a license as trainer must show proof of at least two years track experience with a racing stable. Application shall be accompanied by the written statements of two reputable persons to the effect that the applicant is personally known to them and that he is a person of good reputation and capable of satisfactory performance of the vocation he seeks to follow. An applicant shall be given a thorough examination by the stewards and such other persons as they may appoint. Failure of applicant to obtain license will automatically require a 90 day waiting period before reapplying.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:24 (January 1977), promulgated LR 4:274 (August 1978), amended LR 9:755 (November 1983).

§519. Refusal of License by Other State

The commission may refuse to license any applicant who has been refused a license by any other state racing commission or turf governing body.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:24 (January 1977), LR 4:274 (August 1978).

§521. Refusal Based on Conduct

The commission may refuse to license or revoke the license of an applicant whose previous conduct in Louisiana or elsewhere in connection with horse racing is considered by the commission to have been objectionable, obnoxious or detrimental to the best interest of racing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), amended LR 3:24 (January 1977), repromulgated LR 4:274 (August 1978).

§523. Reason Must Accompany Refusal to License

The refusal to grant a license, unless accompanied by good and valid reasons, shall not be considered as a ruling of this commission. Likewise, a refusal to grant a license by any other state, unaccompanied by good and valid reasons, shall not be considered as a ruling by this commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), promulgated LR 3:24 (January 1977), LR 4:274 (August 1978).

§525. Patronizing Off-track Betting Establishments

Any person, licensed in any capacity by the commission and employing the facilities and privileges of the racing association and who at the same time patronized illegal off-track betting establishments, will be denied such facilities and privileges of the racing association. In addition, his license may be revoked by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), promulgated LR 3:25 (January 1977), LR 4:274 (August 1978).

§527. Disciplinary Action of Other Racing Organizations

The commission may recognize any disciplinary action taken by the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc., and no person against whom disciplinary action has been taken shall be eligible for licensing by this commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), LR 3:25 (January 1977), repromulgated LR 4:274 (August 1978).

§529. Conditions of License

An applicant for a license from the commission must act in the capacity stipulated by the license issued only. Anyone making false statements to procure a license will be fined, suspended and/or both.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:274 (August 1978).

§531. Worker's Compensation Insurance

In addition to all other requirements for a trainer's license, each applicant therefor must furnish a certificate of insurance, or a binder therefor, of an insurance company licensed and/or authorized to do business in the state of Louisiana, showing he or she has workmen's compensation insurance covering his or her employees during the entire period for which the license shall be valid, if issued. This

rule does not apply to trainers racing horses at a current meeting which is in progress, however, after November 15, 1977, this rule shall apply to all trainers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:274 (August 1978).

§535. Examinations

A. The commission may require any new applicant to demonstrate his or her knowledge, qualifications and proficiency for the license applied for by such examination as the commission shall direct. The applicant shall be notified of the time and place for such examination.

B. The commission shall administer a standardized, written and/or oral proficiency test to each new applicant in the following license categories: steward, trainer, jockey and jockey agent. Such testing shall be performed at a track commission office or other commission authorized location, and shall be supervised by a commission appointee or state steward. Provisions will be made for those individuals who do not speak the English language. The fee for the test shall be \$35 and paid for by such applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Promulgated by Department of Commerce, Racing Commission LR 12:289 (May 1986), amended by Department of Economic Development, Racing Commission LR 14:701 (October 1988).

Chapter 7. Jockeys and Apprentice Jockeys**§701. Qualifications for Jockey/Apprentice Jockey**

Any person desiring to participate in this state as a jockey and has never ridden in a race may be issued a jockey or apprentice jockey license upon the recommendation of the stewards granting permission to such person for the purpose of riding in two races to establish the qualifications and ability of such person for the license, provided, however:

1. such person has the qualifications of a permittee and has at least one year of experience with racing stables;
2. a licensed trainer certifies in writing to the stewards that such person has demonstrated sufficient horsemanship to be granted a jockey or apprentice jockey license;
3. the starter has schooled such person breaking from the starting gate with other horses and approves such person as capable of starting a horse properly from the starting gate in a race;
4. the stewards in their sole discretion are satisfied such person intends to become a licensed jockey, possesses the physical ability and has demonstrated sufficient horsemanship to ride in a race without jeopardizing the safety of horses or other riders in the race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:169.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), repromulgated LR 4:275 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 23:950 (August 1997).

§703. Applicant for a License

A. In addition to rules applicable to permittees, an applicant for a license as a jockey or apprentice jockey:

1. must have served at least one year with racing stables;
2. must provide an annual medical affidavit certifying such person is physically and mentally capable of performing the activities and duties of a licensed jockey or exercise person.

B. The stewards may require that any jockey or exercise person provide blood or urine samples for analysis after consultation with the track physician. Should a jockey or exercise person fail to comply with this requirement this person shall be suspended and referred to the commission to show cause for refusing to do so.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150, R.S. 4:151 and R.S. 4:169.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:27 (January 1977), repromulgated LR 4:275 (August 1978), amended LR 10:593 (August 1984), amended by the Department of Economic Development, Racing Commission, LR 23:950 (August 1997).

§705. Apprentice's Contract

A. Any person over the age of 16 who has never been licensed as a jockey in any country, and who of his own free will, and if under age, has written consent of his or her parents or guardian, bound himself to an owner or trainer for a term of not less than three nor more than five years (subject to written extension if made for less than five years) by written contract approved by and filed with the commission, and after at least one year's service with a racing stable, may claim in all overnight races, except handicaps, the following allowances.

B. An apprentice shall start with 5 pounds allowance. He shall continue this allowance for one year from date of his fifth winner, after which, if he has not ridden 40 winners in the year following the date of his fifth winner, he shall continue the allowance for a period not to exceed three years from the date of his first winner or until he has ridden 40 winners, whichever occurs first.

C. After the completion of conditions above, a contracted apprentice may claim for one year 3 pounds when riding horses owned or trained by his original contract employee, provided the contract has not been transferred or sold since the apprentice's first winner. The original contract employer shall be the party who was the employer at the time of the apprentice jockey's first winner.

D. Where all parties to the contract agree an apprentice jockey contract can be terminated by mutual agreement and

an apprentice jockey certificate issued, providing all wins and dates of wins are recorded on the certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), repromulgated LR 4:276 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 17:588 (June 1991).

§707. Apprentice Jockey Certificate

An apprentice who is not under contract may be issued an apprentice jockey certificate on a form furnished by, and filed with, the commission. Where all parties agree an apprentice jockey contract can be terminated by mutual agreement and an apprentice jockey certificate issued, providing all wins and dates of wins are recorded on the certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), LR 4:276 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 17:257 (March 1991).

§709. Extension of Contract

In the event an apprentice jockey is unable to ride for a period of 14 consecutive days or more because of service in the armed forces of the United States, or because of physical disablement, or because of restrictions on racing, or due to secondary or higher education with proper documentation, the commission, upon recommendation of the stewards and after consultation with the racing authority which first approved the original apprentice contract, may extend the time during which such apprentice weight allowances may be claimed for a period no longer than the period such apprentice rider was unable to ride.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended and promulgated by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), amended LR 3:27 (January 1977), LR 4:276 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 24:912 (May 1998).

§711. Jockey License Issued

After completion of conditions in the above rules, a rider must be issued a license as a jockey before accepting subsequent mounts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), repromulgated LR 3:27 (January 1977), LR 4:276 (August 1978).

§713. Apprentice Ride in Quarter Horse Race

An apprentice jockey may ride in a race in which quarter horses are eligible to start but may not claim an apprentice allowance in such a race. The riding of the winner of such a race shall not be considered in computing the expiration of his right to claim apprentice allowances in races restricted to thoroughbreds, nor shall the win be included in the monthly chart book of the Daily Racing Form.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), LR 4:276 (August 1978).

§715. Recording of Wins

When a jockey apprentice leaves the jurisdiction of the commission, it shall be the duty of the clerk of scales and the apprentice jockey to record the number of winners the apprentice jockey has had at the race meeting immediately preceding his departure and to attach that record to the apprentice jockey's contract or certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), repromulgated LR 3:27 (January 1977), LR 4:276 (August 1978).

§717. Basis of Contracts

All contracts between an owner or trainer and a rider are subject to the *Rules of Racing*. All riding contracts for terms longer than 30 days, as well as any amendments thereto, or cancellation, or transfer thereof, must be in writing with the signatures of the parties thereto notarized, and must be approved by the stewards and filed with the commission. The stewards may approve a riding contract and permit the parties thereto to participate in racing in this state if the stewards find that:

1. the contract owner or trainer who owns or trains at least three horses eligible to race at the time of execution of such contract;
2. the owner or trainer possesses such character, ability, facilities and financial responsibility as may be conducive to developing a competent race rider;
3. contracts for apprentice jockeys provide for fair remuneration, adequate medical care, and an option equally available to both owner or trainer and apprentice jockey to cancel the contract after two years from the date of execution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), repromulgated LR 4:276 (August 1978).

§719. Prohibited Behavior

A. No rider may:

1. ride any horse not owned or trained by his contract owner or trainer in a race against a horse owned or trained by his contract owner or trainer;
2. ride or agree to ride any horse in a race without consent of his contract owner or trainer;
3. share any money earned from riding with his contract owner or trainer;
4. accept any present, money or reward of any kind in connection with his riding of any race except through his contract owner or trainer.

B. No jockey, or spouse thereof, shall own a horse participating in the state in racing; nor shall either have any interest in one.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), LR 4:276 (August 1978), LR 5:238 (August 1979).

§721. Apprentice May Not Acquire His Own Contract

An apprentice shall not be permitted to acquire his own contract while his apprentice weight allowance is still in effect.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), LR 4:276 (August 1978).

§723. First or Second Call

Any rider not so prohibited by prior contract may agree to give first or second call on his race-riding services to any licensed owner or trainer. Such agreements, if for terms of more than 30 days, must be in writing, approved by the stewards and filed with the commission. Any rider employed by a racing stable on a regular salaried basis may not ride against the stable which so employs him. No owner or trainer shall employ or engage a rider to prevent him from riding another horse.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:27 (January 1977), LR 4:276 (August 1978).

§725. Jockey Fee Schedule

A. Prior to the start of each race conducted by an association licensed by the commission, sufficient money shall be on deposit with the horsemen's bookkeeper in an amount equal to pay the losing mount fee of a jockey for that race. In the absence of a special agreement, the fee of a jockey shall be as follows.

B. Failure, refusal and/or neglect of a trainer to timely deposit or have deposited the aforesaid jockey fee for a horse entered to race, on or before the time specified herein, shall be a violation of this Section. Each such violation shall be punishable by a fine of not less than \$200 and the failure to pay such fine within 48 hours of imposition thereof shall be grounds for suspension. Additionally, an amount equal to the jockey fee actually earned by the jockey in accordance with the aforesaid schedule shall be paid to the jockey earning same within 48 hours of the imposition of the aforesaid fine, and failure to pay said jockey fee within the time specified herein shall be an additional grounds for suspension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), LR 3:28 (January 1977), repromulgated LR 4:276 (August 1978), amended LR 5:23 (February 1979), LR 12:12 (January 1986), amended by the Department of Economic Development, Racing Commission, LR 16:112 (February 1990).

§727. Earning of Jockey Fee

A jockey fee shall be considered earned by a rider when he is weighed out by the clerk of scales except:

1. when a rider does not weigh out and does not ride in a race for which he has been engaged because an owner or trainer engaged more than one rider for the same race. In such case, the owner or trainer shall pay an appropriate fee to each such rider engaged for such race;

2. when a rider capable of riding elects to take himself off the mount without, in the opinion of the stewards, proper cause therefor;

3. when a rider is replaced by the stewards with a substitute rider for a reason other than a physical injury suffered by such rider during the time between weighing out and start of the race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), LR 3:28 (January 1977), LR 4:276 (August 1978).

§729. When Rider May Choose Not to Ride

Every rider shall fulfill his duly scheduled riding engagements, unless excused by the stewards. No rider shall be forced to ride neither a horse he believes to be unsound, nor over a racing strip he believes to be unsafe. However,

1. if a rider voluntarily cancels a duly scheduled riding engagement for any reason other than the aforementioned, he shall not be permitted to fulfill any riding engagements thereafter on that race day; and

2. if the stewards find a rider's refusal to fulfill a riding engagement is based on a personal belief unwarranted by facts and circumstances, such rider may be subject to disciplinary action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:28 (January 1977), LR 4:276 (August 1978), amended LR 13:392 (July 1987), LR 13:433 (August 1987).

§731. Arrival Prior to Post Time

Each rider who has been engaged to ride in a race shall be physically present in the jockey room no later than one hour prior to post time for the first race on the day he is scheduled to ride, unless excused by the stewards and upon arrival shall report his engagements to the clerk of scales. In the event a rider should fail, for any reason, to arrive in the jockey room prior to one hour before post time of a race in which he is scheduled to ride, the clerk of scales shall so advise the stewards who thereupon may name a substitute rider and shall cause announcement to be made of any such rider substitution prior to opening of wagering on the race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:28 (January 1977), LR 4:276 (August 1978).

§733. Riders Remain in Approved Location During Engagements

Each rider reporting to the jockey room shall remain in the jockey room until he has fulfilled all his riding engagements for the day, except to ride in a race, or except to view the running of a race from a location approved by the stewards. A rider shall have no contact or communication with any person outside the jockey room other than an owner or trainer for whom he is riding, or a racing official, until he has fulfilled all his riding engagements for the day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:28 (January 1977), LR 4:277 (August 1978).

§735. Jockey Room Security

The association shall be responsible for such security of the jockey room as to exclude all persons except riders scheduled to ride on the day's program, valets, authorized attendants, racing officials and persons having special permission of the stewards to enter the jockey room.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), LR 3:28 (January 1977), LR 4:277 (August 1978).

§737. Discontinue Rides

Any rider intending to discontinue riding at a race meeting prior to its conclusion shall so notify the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:28 (January 1977), LR 4:277 (August 1978).

§739. Rider Wagering

No rider shall place a wager, or cause a wager to be placed on his behalf, or accept any ticket or winnings from a wager on any race except in his own mount and through his owner or trainer. A rider shall maintain a precise and complete record of all such wagers, and such record shall be available for examination by the stewards at all times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:28 (January 1977), LR 4:277 (August 1978).

§741. Jockey Attire

Upon leaving the jockey room to ride in any race, each rider shall be neat and clean in appearance and wear the traditional jockey costume, with all jacket buttons and catches fastened. Each jockey shall wear the cap, stock tie and jacket racing colors registered in the name of the owner or stable of the horse he is to ride, white or light breeches, top boots, safety helmet approved by the commission and a number on his right shoulder corresponding to his mount's number as shown on the saddle cloth and daily race program. The clerk of scales and attending valet shall be held jointly responsible with a rider for his neat and clean appearance and proper attire.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), LR 3:28 (January 1977), repromulgated LR 4:277 (August 1978).

§743. Viewing of Films of Races

Every rider shall be responsible for checking the film list posted by the jockey room custodian in the jockey room. The posting shall be considered as notice to all riders whose names are listed thereon to present themselves at the time designated by the stewards to view the patrol films or videotapes of races. Any rider may be accompanied by a representative of the jockey organization of which he is a member in viewing such films, or with the steward's permission, be represented at such viewing by his designated representative.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:29 (January 1977), LR 4:277 (August 1978).

§745. Attendants

No jockey shall have an attendant other than those provided by the association. Such attendants shall be paid by the association.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:432 (December 1976), repromulgated LR 3:29 (January 1977), LR 4:277 (August 1978).

§747. Use of Whips

Riders will not be permitted to use whips on 2-year-olds prior to March 15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:426 (December 1976), LR 3:29 (January 1977), LR 4:277 (August 1978), amended LR 8:63 (February 1982).

§749. Designated Race

A. Before the opening day of a race meeting the executive director and the stewards shall designate the added money or guaranteed stakes races or related qualifying trial races, subject to ratification by the commission, at the race meeting in which a jockey will be permitted to compete, notwithstanding the fact that the jockey is under suspension for 10 days or less for a riding infraction at the time the designated race is to be run.

B. Official rulings for riding infractions of 10 days or less must state "...The term of this suspension does not prohibit participation in designated races."

C. The stewards shall post a listing of the designated races in the jockeys' room, racing office and any other place determined to be appropriate by the stewards.

D. A suspended jockey must be named at the time of entry to participate in any designated race.

E. A day in which a jockey participated in one designated race while on suspension does not count as a suspension day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Racing Commission, LR 19:613 (May 1993).

Chapter 9. Jockey Agent

§901. Maximum Number of Jockeys

A jockey agent may not, after June 30, 1997, contract the riding engagements of more than two riders. No jockey agent shall contract for more than two riders to start in any one race, except stakes races, who are under contract to the same jockey agent. As used herein, *Jockey Agent* shall mean any person who contracts engagements for a rider or riders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:29 (January 1977), repromulgated LR 4:277 (August 1978), amended LR 10:593 (August 1984), amended by the Department of Economic Development, Racing Commission, LR 23:1136 (September 1997).

§903. License Application

Before being issued a license, a jockey agent must show proof of experience and knowledge of racing to the stewards by an oral and written examination approved by the commission, and his application shall bear the actual signature of the rider he desires to represent. Any license granted is not transferable, and separate applications must be filed for each jockey the agent proposes to represent. However, after payment of the original fee no subsequent fee is required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:29 (January 1977), repromulgated LR 4:277 (August 1978).

§905. Contracting Without License or Exceeding Privileges

Any person who contracts engagements for a rider or riders without first obtaining a license to do so, or any jockey agent who exceeds the authority of the privileges granted, after having been licensed, may be fined or suspended, or both, at the discretion of the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:29 (January 1977), LR 4:277 (August 1978).

§907. Agent's Resignation

If any jockey agent gives up the making of engagements for any rider he shall immediately notify the stewards, and he shall also turn over to the stewards a list of any unfilled engagements he may have made for that rider.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), repromulgated LR 3:29 (January 1977), LR 4:277 (August 1978).

§909. Access to Jockeys During Racing Times

Under no circumstances shall a jockey agent be permitted within the saddling enclosure during racing hours, nor shall he be allowed on the track proper or in the winner's circle at the conclusion of any race run. Nor shall an agent have access to the jockey quarters at any time or communicate with any jockey during racing hours without permission of the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), repromulgated LR 3:29 (January 1977), LR 4:277 (August 1978).

§911. Ownership of Race Horse

No jockey agent, or spouse thereof, shall be the owner of any race horse, nor shall either have any interest in one.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:29 (January 1977), LR 4:277 (August 1978), amended LR 5:238 (August 1979).

§913. Making Engagements

No person other than an owner, trainer, jockey agent or authorized agent of an owner shall make engagements for an apprentice jockey or jockey. However, a jockey not represented by an agent may make his own engagements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), amended LR 3:29 (January 1977), repromulgated LR 4:277 (August 1978).

§915. Conflicting Claims for Services of Jockey

Conflicting claims for the services of a jockey shall be decided by the stewards, and first call shall have priority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:29 (January 1977), LR 4:278 (August 1978).

Chapter 11. Owners

§1101. Change of Trainer

If an owner changes licensed trainers, he must notify the stewards and the racing secretary and cause the new trainer to sign his name on the owner's registration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:25 (January 1977), LR 4:274 (August 1978).

§1103. Personnel Registration

The personnel of every stable must be registered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), LR 4:274 (August 1978).

§1105. Licenses Necessary for Entry

Before a horse may be entered, its owner or owners must secure the appropriate licenses from the commission, unless permission is granted by the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:25 (January 1977), LR 4:274 (August 1978).

§1107. Registration of Partnership

Each partnership must be registered with the commission, and its application for a license must be signed by all of the partners or their authorized agents. Each partner shall be required to obtain an owner's license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:25 (January 1977), LR 4:274 (August 1978).

§1109. Partnership Papers

Partnership papers shall, among other things, set forth the following:

1. the name and address of each and every person having any interest in the horse or horses involved;
2. the relative proportions of such interests;
3. to whom the winnings are payable;
4. in whose name the horse or horses shall run;
5. with whom the power of entry and declaration rests;
6. the terms of any contingency, lease or any other arrangement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), LR 4:275 (August 1978).

§1111. Emergency Authority to Sign

In case of emergency, authority to sign declarations from a partnership may be given to the racing secretary by telegram, promptly confirmed in writing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), LR 4:275 (August 1978).

§1113. Racing Secretary Authority to Enter and Start Stakes Race

If the racing secretary is unable to communicate with all proper parties in an attempt to obtain a declaration from a

partnership, he may authorize a horse involved in a partnership to enter and to start in a stakes race without a declaration from a partnership.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), amended LR 3:25 (January 1977), repromulgated LR 4:275 (August 1978).

§1115. Alteration of Partnership Registration

Any alteration in a recorded partnership registration, to be effective, must be reported in writing to the racing secretary, signed by all partners and approved by the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:25 (January 1977), LR 4:275 (August 1978).

§1117. Liability

All the parties to a partnership, and each of them, shall be jointly and severally liable for all stakes, forfeits and other obligations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), LR 4:275 (August 1978).

§1119. Percentage Interest

Each partner's percentage shall be declared in the application for partnership license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), LR 4:275 (August 1978), amended LR 9:546 (August 1983).

§1121. Joint Venture

A joint venture, for the purpose of licensing, shall comply with all rules governing partnerships, and processed as if a partnership.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 9:546 (August 1983).

Chapter 13. Authorized Agent**§1301. License**

Each authorized agent must obtain a license from the commission for each owner represented.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:150.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing

Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), LR 4:275 (August 1978).

§1303. Subagent; Trainer as Agent

An authorized agent may appoint a subagent only when authorized to do so by the document or application under which he was so licensed. A subagent, who must be licensed, may not act for more than one authorized agent or stable. A trainer may be the authorized agent for only one stable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:25 (January 1977), amended LR 4:275 (August 1978).

§1305. Revocation of Agent's Authority

An owner's revocation of the authority of his agent must be filed in writing with the commission and shall be effective on the day of filing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), LR 3:25 (January 1977), repromulgated LR 4:275 (August 1978).

Chapter 15. Vendors

§1501. License

All persons whose business or profession involves the selling or distribution of drugs, medications, pharmaceutical products, horse food or nutrients of any kind or tack equipment on the grounds of an association, including their employees, shall be approved by the association and licensed by, and subject to the authority of, the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150, R.S. 4:151 and R.S. 4:169.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:436 (December 1976), LR 3:32 (January 1977), repromulgated LR 4:279 (August 1978).

§1503. Labelling of Contents

All drugs, medications, pharmaceutical products and any other substances of a similar nature possessed or used within the grounds of a racing association shall at all times bear appropriate labelling displaying the contents thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:436 (December 1976), repromulgated LR 3:32 (January 1977), LR 4:279 (August 1978).

§1505. Tout Sheets

Anyone anticipating distribution of tout sheets on association grounds must first get permission from the association, secure a license from the commission and

clearly identify all owners and handicappers on each sheet distributed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:436 (December 1976), repromulgated LR 3:32 (January 1977), LR 4:279 (August 1978).

Chapter 17. Associations

§1701. Association's Responsibility for Sellers of Tout Sheets

It shall be the responsibility of each association to require that all owners, vendors, handicappers, etc., engaged in the selling of tout sheets on the association's property shall be properly licensed and approved by the commission. The names of the owners and handicapper must be printed on each publication sold.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:29 (January 1977), LR 4:277 (August 1978).

§1703. Enforcement of Rules and Regulations

It shall be the duty of each licensee to observe and enforce the *Rules of Racing* and the regulations from time to time adopted by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), LR 3:30 (January 1977), LR 4:277 (August 1978).

§1705. Licensing of Association and Employees

Each association shall apply for a license to conduct a meeting not later than April 15 and August 15 of each year and shall submit to the commission for approval, 30 calendar days prior to the opening date, a complete list of racing officials, heads of departments, calculators, private police agencies and others, showing the positions they are to fill and their compensation. It shall be the responsibility of each association to ascertain that each person employed by the association be properly licensed under the *Rules of Racing*. Should a category not exist defining a particular status of employment, the applicant shall apply for a miscellaneous license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:158.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), repromulgated LR 3:30 (January 1977), LR 4:277 (August 1978).

§1707. Refusal to Issue or Renew License

The commission may refuse to issue or renew a license, or may suspend or revoke a license issued if it finds that the applicant, or any person who is a partner, agent, employee or associate of the applicant, has knowingly associated or

consorted with any person or persons who have been convicted of a felony in any jurisdiction, or is knowingly consorting or associating with bookmakers, touts or persons of similar pursuits, or has himself engaged in similar pursuits, or has been found guilty of any fraud or misrepresentation in connection with racing or breeding, or otherwise has violated any law, rule or regulation with respect to racing in this or any other jurisdiction, or any rule, regulation, or order of the commission, or has been found guilty of or engaged in similarly related or like practices. Provided however, the commission may issue or renew a license or refuse to suspend or revoke a license issued, where the applicant or licensee has not engaged in such association or activities for a period of 10 years, or for good cause shown.

AUTHORITY NOTE: Promulgated in accordance with R.S.4:148 and R.S. 4:160.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:434 (December 1976), repromulgated LR 3:30 (January 1977), LR 4:278 (August 1978).

Chapter 19. Training Tracks

§1901. Definition

For the purpose of this rule a "training track" is an auxiliary race track on the grounds of any person or persons, associations or corporations used for workouts, schooling, starts and the like of race horses that may start or be racing during a current meeting at a track of an association conducting racing with pari-mutuel wagering thereon, duly licensed by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:289 (August 1978).

§1903. License Information

Anyone desiring to operate a training track must apply to the commission for a license to conduct such a business. An application seeking such a license shall set forth the following:

1. the full name of the person, and if a corporation, the name of the state under which it is incorporated, and the names of the corporation's agents for the service of process within Louisiana;
2. if an association or corporation, the names of the stockholders and directors of the corporation or the names of the members of the association;
3. the exact location where it is desired to conduct a training track;
4. whether or not the racing plant is owned or leased, and if leased, the name and address of the owner, or if the owner is a corporation, the names of its directors and shareholders;
5. a statement of the assets and liabilities of the person applying for a license;

6. such other information as the commission may require.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:289 (August 1978).

§1904. License Renewal

After being granted a license to operate as a training track, any person or corporation desiring to continue to operate as a training track must submit an application for a license on a yearly basis to the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Racing Commission, LR 17:260 (March 1991).

§1905. Authority and Jurisdiction

The commission, its stewards, agents and employees shall have full authority and jurisdiction over a licensed training track as may be appropriately exercised pursuant to R.S. 4:141 et seq. and the *Rules of Racing* as such apply to an association or licensee or permittee and consistent therewith.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:289 (August 1978).

Chapter 21. Stables

§2101. Stable Name

All stable names shall be cleared with the Association of Racing Commissioners, International, Inc.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:26 (January 1977), LR 4:275 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 16:765 (September 1990).

§2103. Stable Registration

Each stable name must be duly registered with the commission. In applying to race under a stable name, the applicant must disclose the identity or identities behind the stable names. If a partnership or corporation is involved the rules covering such must be complied with.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:429 (December 1976), repromulgated LR 3:26 (January 1977), LR 4:275 (August 1978).

§2105. Corporation

No license as an owner shall be granted to a corporation or to a lessee or lessees of any corporation unless each stockholder is licensed as an owner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), repromulgated LR 3:26 (January 1977), LR 4:275 (August 1978), amended LR 9:546 (August 1983).

§2107. Reports

The stockholders or members of any corporation or partnership, which leases horses for racing purposes in the state of Louisiana and also any such corporation or partnership, shall make and file with the commission as and when requested by it, a report or reports under oath containing such information as the commission may specify. Upon refusal or failure to file any such report or reports, the commission may refuse a license to any lessee or lessees of such corporation or partnership, or may revoke any such license which it may have granted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), repromulgated LR 3:26 (January 1977), LR 4:275 (August 1978), amended LR 9:546 (August 1983).

§2109. Licensed Trainer Registering Stable

No licensed trainer of race horses shall register a stable name, but a partnership of which a trainer is a member may use the stable name of another member, provided that the use of such other member's stable name has been authorized by the stewards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), LR 3:26 (January 1977), LR 4:275 (August 1978).

§2111. On Program

The stable name must be carried on the official program with the name of at least one owner. If the stable name is represented by more than one owner, it should be indicated by the use of "et al."

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, amended by the Department of Commerce, Racing Commission, LR 2:430 (December 1976), repromulgated LR 3:26 (January 1977), LR 4:275 (August 1978).

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

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